

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

STONE STREET SERVICES, INC., successor in interest to Stone Street Capital, Inc. and PAULA R. LOWRY TRUST c/o Estate Planning Services, Inc. Plaintiffs,	:	
v.	:	CIVIL ACTION NO. 2:07-CV-0431
JOHN E. LOWRY and J.L., a minor c/o his parent and natural guardian John E. Lowry and MARY KAY WOLFE and TRANSAMERICA ANNUITY SERVICE CORPORATION and TRANSAMERICA LIFE INSURANCE AND ANNUITY COMPANY Defendants.	:	Chief Judge Donetta W. Ambrose / Magistrate Judge Francis X. Caiazza

ORDER ~~APPOINTING GUARDIAN AD LITEM~~

AND NOW, this 31st day of October, 2007, upon consideration of the Motion to Appoint a Guardian Ad Litem filed by Transamerica Annuity Service Corporation and Transamerica Life Insurance and Annuity Company (collectively "Transamerica") and any response thereto, it is hereby ORDERED and DECREED that said Motion is GRANTED.

Samuel A. Moore, an attorney licensed to practice in the Western District of Pennsylvania, is appointed as Guardian Ad Litem to represent the interests of John Edwin Lowry, III, a/k/a J.L., a minor, with respect to the litigation herein. The fees and expenses regarding Samuel A. Moore's services as Guardian Ad Litem shall be paid at the rate of \$200.00 per hour. It is further ORDERED that Transamerica shall initially bear the fees of the Guardian

Ad Litem up to \$5,000.00, with bills to be sent to Transamerica Life Insurance Company,
Attention: Richard M. Rubenstein, 400 West Market Street, Aegon Center, 8th Floor, Louisville,
KY 40202.

If the Guardian Ad Litem's fees and expenses exceed \$5,000.00, the Guardian Ad Litem
may petition for further payment. ~~Plaintiffs shall not be responsible for any of the Guardian Ad~~

~~Litem's fees or expenses.~~ *FXC*

Erin K. Ciarra J.